

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

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| In the Matters of |) | |
| |) | |
| Amendments to Part 4 of the |) | PS Docket No. 15-80 |
| Commission’s Rules Concerning |) | |
| Disruptions to Communications |) | |
| |) | |
| New Part 4 of the Commission’s |) | ET Docket No. 04-35 |
| Rules Concerning Disruptions to |) | |
| Communications |) | |
| |) | |
| The Proposed Extension of Part 4 |) | PS Docket No. 11-82 |
| of the Commission’s Rules |) | |
| Regarding Outage Reporting to |) | |
| Interconnected Voice Over |) | |
| Internet Protocol Service |) | |
| Providers and Broadband |) | |
| Internet Service Providers |) | |

**REPLY COMMENTS OF THE NATIONAL ASSOCIATION OF
TELECOMMUNICATIONS OFFICERS AND ADVISORS AND
THE NATIONAL LEAGUE OF CITIES**

I. INTRODUCTION

The National Association of Telecommunications Officers and Advisors (“NATOA”) and the National League of Cities (“NLC”) submit these reply comments in response to the Commission’s Further Notice of Proposed Rulemaking (“FNPRM”),¹ released May 26, 2016, in the above-captioned proceedings.

NATOA’s membership includes local government officials and staff members from across the nation whose responsibility it is to develop and administer communications policy and the provision of such services for the nation’s local governments.

¹ *Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications*, Further Notice of Proposed Rulemaking, 31 FCC Rcd 5817 (2016) (“Further Notice”).

NLC represents the more than 19,000 cities, towns, and villages in the United States, whose population includes more than 218 million Americans.

As representatives of local governments, we are well aware how important reliable communications services are to our residents, especially in times of emergencies. In the event that a natural or man-made event poses a threat to the operability of the 9-1-1 system, local officials need to keep the system functioning. As a result, information regarding service outages plays a large role in helping ensure the reliability of the communications networks upon which we all depend. We agree with the Commission’s assertion that “[i]n the fulfillment of its public safety responsibilities, no context is more important for the Commission to research and monitor the technology transition than in the deployment of IP-based Next Generation 911 (NG 911) networks.”² Therefore, it is appropriate that the Commission “refocus its lens for outage reporting and re-examine its part 4 reporting metrics to ensure that they collect the necessary data on the reliability of *broadband* networks.”³

II. OUTAGE REPORTING REQUIREMENTS SHOULD EXTEND TO BROADBAND PROVIDERS

Like the California Public Utilities Commission (“CPUC”), we support the Commission’s proposals to extend part 4 outage reporting to broadband facilities and services in a similar manner as other communications providers.⁴

There is no denying that broadband plays an ever-increasing critical role in providing Americans with the advanced communications services they need and depend on to compete in a global economy, partake in civil engagement, obtain the benefits of telemedicine and distance

² Further Notice ¶ 99.

³ *Id.* ¶ 101.

⁴ Comments of California Public Utilities Commission (“CPUC”) at 2 (August 26, 2016).

learning, and so on. But as this reliance grows, so too does the need for information regarding broadband network service outages. As the Washington Utilities and Transportation Commission (“UTC”) stated, “[I]t is imperative that outages affecting broadband networks be timely reported with data sufficient to alert the public, as well as relevant jurisdictions, of outages, their root causes, remediation efforts, and expected recovery time.”⁵

III. OUTAGE REPORTING SHOULD BE MANDATORY

Furthermore, it is vital that outage reporting be mandatory. We believe that a mandatory scheme is the only means by which a comprehensive overview of outages affecting these services may be obtained. As the National Association of State 911 Administrators points out, “mandatory reporting would be the most effective means to motivate carriers to ‘optimize systemic reliability,’ ...[and is] the only way the Commission would be able to have confidence that the data revealed by the reporting represents a complete picture of the reliability of broadband networks.”⁶

IV. OUTAGE INFORMATION SHOULD BE ACCESSIBLE TO LOCAL JURISDICTIONS

Finally, we agree with other commenters that local jurisdictions must have reasonable access to outage information and that any limitations on the dissemination of such data based on legitimate security concerns not be applicable to disclosures to local government first responders. Local governments need prompt and complete access to the full contents of all outage reports. To provide anything less would seriously hamper local governments’ ability to carry out their first responder responsibilities. We agree with the UTC’s contention that “if NORS data is withheld

⁵ Comments of the Washington Utilities and Transportation Commission (“UTC”) at 2 (August 26, 2016).

⁶ Comments of the National Association of State 911 Administrators (“NASNA”) at 3 (August 26, 2016).

or edited prior to eventual release, the value of the database in supporting public safety and the public interest would be greatly limited as the authorities closest to the real impact of an outage effectively would be kept ignorant of events surrounding a major broadband outage.”⁷

V. CONCLUSION

The extent to which our residents have come to rely on commercial broadband services – whether VoIP, wireless Wi-Fi calls, or NG911 features – to access emergency services will only increase with time. When those in our communities call 9-1-1, they do not care if that call is carried over copper lines or fiber – they only care that it is connected during their emergency. For that reason, we support the Commission’s efforts to make broadband outage reporting mandatory in a manner similar to the requirements imposed on traditional telephone service. Furthermore, we ask that the Commission ensure that local jurisdictions, often those most able to respond in a timely fashion to emergencies causing or resulting from an outage, be given prompt and complete access to information about those outages.

Respectfully submitted,



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⁷ Comments of UTC at 2.